

## **TITLE 326 AIR POLLUTION CONTROL BOARD**

### **LSA Document #97-8**

#### **SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING**

On February 4, 1998, the air pollution control board (board) conducted the first public hearing/board meeting concerning the development of amendments to 326 IAC 8-3-1 and 326 IAC 8-3-8. Comments were made by the following parties:

Black & Decker	(B&D)
Heritage Crystal Clean	(Heritage)

Following is a summary of the comments received and IDEM's responses thereto:

*Comment:* We have not found a satisfactory alternative that cleans as well as low-flash solvents. (B&D; Heritage)

*Response:* Alternative solvent combinations are available. Alternatives are in use in metropolitan areas (Chicago, St. Louis, Southern California, Washington, D.C.) across the country that have instituted vapor pressure or volatile organic compound (VOC) requirements for cold cleaning degreasers.

*Comment:* The cost increase for the new solvents would be passed on to small businesses that might be forced to close if the new material does not clean as well. (B&D)

*Response:* According to the state of Maryland, which has already passed this rule, the use of an alternative solvent will increase costs from ten percent (10%) to twenty-five percent (25%) on a per gallon basis, and these costs will be further offset since there will be more spent solvent returned to the supplier due to the lower rate of evaporation. This rule is more cost effective than requiring controls on each cold cleaner in the affected areas. Emissions control devices would require training, maintenance, and large, initial capital costs. The rule also phases in the requirements over a few years to allow suppliers to ramp up to the new standard.

When compared to other regulations this is one of the more cost effective means of controlling VOC emissions into the atmosphere. The range of cost is from two hundred thirty-eight dollars (\$238) per ton to seven hundred seventy-nine dollars (\$779) per ton. In relation to other control measures instituted by both the state of Indiana and the United States Environmental Protection Agency, material substitution is a low cost control measure. A 1997 memorandum (62 CFR 38421) from the President of the United States notes that the costs associated with reasonable reductions can range up to ten thousand dollars (\$10,000).

*Comment:* How have VOC reduction estimates been determined? (B&D)

*Response:* Emissions estimates for this category were based upon average national emission rates. The last estimate calculated by the state of Indiana was completed for 1990 and based upon the average emissions per person. Reduction estimates were then calculated based upon the percent reduction in vapor pressure.

*Comment:* Degreasing operations not exceeding one hundred forty-five (145) gallons per twelve (12) month period are considered sources of insignificant activity for VOCs in 326 IAC 2-7-1. (B&D; Heritage)

*Response:* Any one degreaser may be defined as an insignificant source for the purpose of permit application requirements. However, all of the cold cleaners totaled for a particular area create a significant source of VOCs. The U.S. Congress reached this same conclusion in the Clean Air Act Amendments of 1990 to regulate the amount of VOCs emitted by household items (for example, the commercial/consumer solvent reformulation rules). The sources referred to in the comment will continue to be considered insignificant sources for air permitting purposes.

*Comment:* Under the amended rule the first phase of reduction would reduce the VOC emissions by sixty percent (60 %), at minimum, based on millimeters of mercury as a parameter. (Heritage)

*Response:* The requirements of this rule were set to duplicate rules that are already established in other states. Given that the cost per ton in reductions for this rule is relatively small, it makes good policy to pursue the reduction further.

*Comment:* Those individuals or companies whose needs are not met by lower vapor pressure solvents should be able to request a variance and an exemption similar to the exemption granted to the electronic component industry. (Heritage)

*Response:* Variances may be requested under Indiana Code 13-14-8-8 if there is an undue hardship or burden on the applicant.

*Comment:* What factors contribute to Floyd, Clark, Lake, and Porter counties being out of attainment for NAAQS, in order of priority?

*Response:* Ambient air quality monitoring data indicates the air quality does not meet health standards.

*Comment:* What is the applicability of this rule, if it is passed, in the event that a nonattainment county later reaches attainment and is redesignated?

*Response:* To prevent back-sliding, rules that have been adopted to help control ozone formation would remain in effect after the area is designated as attainment.